Filed: August 1, 2003

Amendment and Response to Non-Final Office Action

Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

(Currently amended) A method for making a payment to a payee on behalf of a payor, comprising:

receiving a payment request for a payment service provider to pay a payee on behalf of a payor, wherein the payment request is associated with a payor account;

determining a plurality of debit options, wherein each debit option of the plurality of debit options is applicable for debiting the payor account;

automatically selecting one of the plurality of debit options based, at least in part, on at least one processing factor, wherein the at least one processing factor is at least one of a risk factor, a speed factor, and a cost factor;

determining a credit option associated with the one of the plurality of debit options; and executing the payment request using the one of the plurality of debit options and the credit option

identifying those of a plurality of options available to electronically debit a payment account associated with the payor in making the payment;

selecting one of the identified available electronic debiting options; and effecting payment in accordance with the one selected electronic debiting option.

(Currently amended) The method of claim 1, wherein the plurality of debit electronic 2. debiting options include i) electronically debiting the payor payment account responsive to

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determining that funds in at least an amount of the payment request are available in the payor payment account, ii) electronically debiting the payor payment account responsive to determining that an entity is available from which to collect funds if funds cannot be collected from the payor in association with effecting the payment, iii) electronically debiting the payor payment account responsive to selecting an account to receive an electronic credit associated with the electronic debit, the selected account associated with a the payment service provider, iv) electronically debiting the payor payment account responsive to determining that a risk of financial loss to the payment service provider associated with effecting the payment on behalf of the payor is an acceptable risk, the determination based upon information associated with at least one of an amount of the payment and one or more prior payments effected on behalf of the payor, and v) electronically debiting the payor payment account responsive to determining that an electronic credit can be initiated by the payment service provider to reverse the electronic debit if funds cannot be collected from the payor in association with the effected payment.

(Currently amended) The method of claim 1, wherein each of the debit identified 3. electronic debiting options is identified determined based, at least in part, upon at least one of i) the identity of the payee, ii) the identity of the payor, iii) the identity of a financial institution at which the payor payment account is maintained, iv) the identity of a consumer service provider with which the payor is associated, and v) a type of payment service offered by the a payment service provider utilized by the payor.

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4. (Currently amended) The method of claim 1, wherein executing the payment request using the one of the second plurality of debit options and the credit option effecting payment in

accordance with each of the electronic debiting options includes issuing an electronic funds

transfer file via the ACH network.

- 5. (Canceled)
- 6. (Canceled)
- (Currently amended) The method of claim 1, wherein the debit those available electronic 7. debiting options are identified determined based upon the received payment request.
- (Currently amended) The method of claim 1, wherein each of the plurality of debit 8. electronic debiting options is associated with a priority and two or more of the plurality of debit electronic debiting options are identified determined as being available, and further comprising:

determining one of the two or more identified debit electronic debiting options having a highest associated priority;

wherein the determined one of the debit electronic debiting options having the highest associated priority is selected.

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9. (Currently amended) The method of claim 1, wherein two or more of the plurality of debit electronic debiting options are identified determined as being available, and further comprising:

determining one of the two or more identified determined debit electronic debiting options associated with a shortest time period to complete payment to the payee on behalf of the payor;

wherein the determined one of the debit electronic debiting options associated with the shortest time period to complete payment to the payee on behalf of the payor is selected.

(Currently amended) The method of claim 1, wherein two or more of the plurality of 10. debit electronic debiting options are identified determined as being available, and further comprising:

determining one of the two or more identified debit electronic debiting options associated with a lesser cost to the a payment service provider;

wherein the determined one of the debit electronic debiting options associated with the lesser cost to the payment service provider is selected.

11. (Currently amended) The method of claim 1, wherein two or more of the plurality of debit electronic debiting options are identified determined as being available, and further comprising:

determining one of the two or more identified debit electronic debiting options which provides a highest level of protection against financial loss to the a payment service provider;

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wherein the determined one of the debit electronic debiting options which provides the highest level of protection against financial loss to the payment service provider is selected.

12. (Currently amended) A system for making a payment to a payee on behalf of a payor, comprising:

a communication interface configured to receive a payment request for a payment service provider to pay a payee on behalf of a payor, wherein the payment request is associated with a payor account; and

a processor configured to i) determine a plurality of debit options, wherein each debit option of the plurality of debit options is applicable for debiting the payor account, ii) automatically select one of the plurality of debit options based, at least in part, on at least one processing factor, wherein the at least one processing factor is at least one of a risk factor, a speed factor, and a cost factor, iii) determine a credit option associated with the one of the plurality of debit options, and iv) execute the payment request using the one of the plurality of debit options and the credit option

identify those of a plurality of options available to electronically debit a payment account associated with the payor in making the payment, ii) select one of the identified available electronic debiting options, and iii) cause payment to be effected in accordance with the one selected electronic debiting option.

13. (Currently amended) The system of claim 12, wherein the plurality of debit electronic debiting options include i) electronically debiting the payor payment account responsive to

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determining that funds in at least an amount of the payment request are available in the payor payment account, ii) electronically debiting the payor payment account responsive to determining that an entity is available from which to collect funds if funds cannot be collected from the payor in association with effecting the payment, iii) electronically debiting the payor payment account responsive to selecting an account to receive an electronic credit associated with the electronic debit, the selected account associated with a the payment service provider, iv) electronically debiting the payor payment account responsive to determining that a risk of financial loss to the payment service provider associated with effecting the payment on behalf of the payor is an acceptable risk, the determination based upon information associated with at least one of an amount of the payment and one or more prior payments effected on behalf of the payor, and v) electronically debiting the payor payment account responsive to determining that an electronic credit can be initiated by the payment service provider to reverse the electronic debit if funds cannot be collected from the payor in association with the effected payment.

14. (Currently amended) The system of claim 12, wherein the processor is further configured to identify each of the identified electronic debiting debit options is determined based, at least in part, upon at least one of i) the identity of the payee, ii) the identity of the payor, iii) the identity of a financial institution at which the payor payment account is maintained, iv) the identity of a consumer service provider with which the payor is associated, and v) a type of payment service offered by a the payment service provider utilized by the payor.

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(Currently amended) The system of claim 12, wherein effecting payment in accordance 15. with each of the electronic debiting options the execution of the payment request using the one of the second plurality of debit options and the credit option includes issuing an electronic funds transfer file via the ACH network.

(Canceled) 16.

17. (Canceled)

- (Currently amended) The system of claim 12, wherein the processor is further configured 18. to identify those available electronic debiting debit options are determined based upon the received payment request.
- (Currently amended) The system of claim 12, wherein: 19. each of the plurality of electronic debiting debit options is associated with a priority; two or more of the plurality of electronic debiting debit options are determined identified as being available; and

the processor is further configured to i) determine one of the two or more identified electronic debiting debit options having a highest associated priority, and ii) select the determined one of the electronic debiting debit options having a highest associated priority.

(Currently amended) The system of claim 12, wherein: 20.

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two or more of the plurality of electronic debiting debit options are identified determined

as being available; and

the processor is further configured to i) determine the one of the two or more identified

electronic debiting debit options associated with a shortest time period to complete payment to

the payer on behalf of the payor, and ii) select the determined one of the electronic debiting debit

options associated with the shortest time period to complete payment to the payee on behalf of

the payor.

21. (Currently amended) The system of claim 12, wherein:

two or more of the plurality of electronic debiting debit options are identified determined

as being available; and

the processor is further configured to i) determine one of the two or more identified

electronic debiting debit options associated with a lesser cost to the a payment service provider,

and ii) select the determined one of the electronic debiting debit options associated with the

lesser cost to the payment service provider.

22. (Currently amended) The system of claim 12, wherein:

two or more of the plurality of electronic debiting debit options are identified determined

as being available; and

the processor is further configured to i) determine one of the two or more identified

electronic debiting debit options which provides a highest level of protection against financial

loss to the a payment service provider, and ii) select the determined one of the electronic debiting

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debit options which provides the highest level of protection against financial loss to the payment

service provider.

23. (New) The method of Claim 1, wherein determining a credit option associated with the

one of the plurality of debit options includes selecting one credit option from a plurality of a

plurality of credit options.

24. (New) The method of Claim 1, wherein automatically selecting one of the plurality of

debit options based, at least in part, on at least one processing factor includes selecting one of the

plurality of debit options based, at least in part, on the at least one processing factor associated

with a stored preference, wherein the stored preference is associated with the payor or a service

provider.

25. (New) The system of Claim 12, wherein the determination that a credit option associated

with the one of the plurality of debit options includes selecting one credit option from a plurality

of a plurality of credit options.

26. (New) The system of Claim 12, wherein the automatically selection one of the plurality

of debit options based, at least in part, on at least one processing factor includes selecting one of

the plurality of debit options based, at least in part, on the at least one processing factor

associated with a stored preference, wherein the stored preference is associated with the payor or

a service provider.